

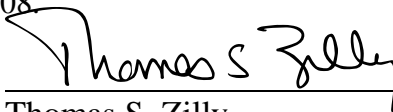
01  
02  
03  
04 UNITED STATES DISTRICT COURT  
05 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

06 ERIC MICHAEL SYDNER, ) CASE NO. C08-1148-TSZ  
07 )  
Plaintiff, )  
08 )  
v. ) ORDER DISMISSING § 1983  
09 ) ACTION  
STEVE THOMPSON, et al., )  
10 )  
Defendants. )  
11 \_\_\_\_\_ )

12 The Court, having reviewed the Report and Recommendation of the Honorable Mary Alice  
13 Theiler, United States Magistrate Judge, and the balance of the record, does hereby find and  
14 ORDER:

- 15 (1) The Court adopts the Report and Recommendation;  
16 (2) The complaint and this action are DISMISSED without prejudice;  
17 (3) Plaintiff's application for leave to proceed *in forma pauperis* is DENIED as moot;  
18 and,  
19 (4) The Clerk is directed to send copies of this Order to plaintiff and to Judge Theiler.

20 DATED this 14th day of October, 2008.

21   
22 Thomas S. Zilly  
United States District Judge